

AO 91 (Rev. 11/11) Criminal Complaint

FILED

FEB 26 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

MAG

UNITED STATES DISTRICT COURT

for the

Northern District of California

United States of America

v.

RICHARD EUGENE HARTMAN,

Case No. **3 20 70233***Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 24, 2019 in the county of San Mateo in the
Northern District of California, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 2252(a)(4)(B), (b)(2)

Possession of Child Pornography

This criminal complaint is based on these facts:

Please see the attached Affidavit of FBI Special Agent Colleen Dettling

☒ Continued on the attached sheet.

Approved as to form:

AUSA Molly A. Smolen

Sworn to before me and signed in my presence.

Date:

2/26/2020

City and state:

San Francisco, California*Complainant's signature*

FBI Special Agent Colleen Dettling

Printed name and title*Judge's signature*

U.S. Chief Magistrate Judge Joseph C. Spero

Printed name and title

1-MTA

**AFFIDAVIT OF COLLEEN DETTLING
IN SUPPORT OF CRIMINAL COMPLAINT**

I, Colleen Dettling, Special Agent of the United States Department of Justice, Federal Bureau of Investigation, being duly sworn, hereby depose and say:

I. INTRODUCTION

1. I have been employed as a Special Agent with the Federal Bureau of Investigation since 2009, and am currently assigned to Squad C15 of the San Francisco Field Office, San Jose Resident Agency. Squad C15 is responsible for investigating violent crimes against children. As an FBI Special Agent, I have investigated federal criminal violations relating to high technology and cyber crimes, child exploitation, and child pornography. I have conducted, coordinated, and participated in the execution of numerous search warrants in child pornography-related investigations conducted by the FBI and local law enforcement agencies. I have received training in the area of child pornography and child exploitation and have observed and reviewed numerous examples of child pornography in all forms of media, including computer media. I have attended training relating to child exploitation and pornography at multiple law enforcement seminars, and through training, experience, and interaction with other law enforcement officers and agents, I have become familiar with the manner in which criminals produce, receive, distribute, and store child pornography.

2. The facts stated in this affidavit are based on my personal knowledge, on my review of reports prepared by other law enforcement officers and records prepared by others, and on conversations I have had with other law enforcement officers involved in this investigation. This affidavit is submitted for the limited purpose of establishing probable cause in support of a Complaint, it does not set forth each and every fact that I, or others, have learned during the course of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause for the Complaint sought herein. Unless otherwise indicated, where actions, conversations, and statements of others are related herein, they are related in substance and in part.

II. PURPOSE OF THIS AFFIDAVIT AND RELEVANT LAW

3. This affidavit is being submitted in support of a criminal complaint charging Richard Eugene Hartman, with a violation 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) – Possession of Child Pornography.

4. Title 18, U.S.C. §§ 2252(a)(4)(B) and (b)(2) prohibits the possession of child pornography. The elements of that offense are as follows:
- a. The defendant knowingly possessed matters that the defendant knew contained visual depictions of minors engaged in sexually explicit conduct;
 - b. The defendant knew the visual depictions contained in the matters showed minors engaged in sexually explicit conduct;
 - c. The defendant knew that production of such visual depictions involved use of minors in sexually explicit conduct; and
 - d. Each visual depiction had been shipped or transported in interstate or foreign commerce.

III. FACTS ESTABLISHING PROBABLE CAUSE

5. On July 18, 2019, a state search warrant for 302 Laurel Street, Richard Hartman, and his vehicle was signed by the Honorable Susan Greenberg. On July 24, 2019, the search warrant was executed by the San Mateo County Sheriff's Office (SMCSO).

6. During the search, law enforcement officers found evidence of child pornography on a USB flash drive (SMCSO evidence item #17). Richard Hartman was arrested and booked into Maguire Correctional Facility on PC 311.2(C), possession of child pornography.

7. A total of nine electronic devices were seized during the July 24, 2019 search. Eight of those devices were sent to the Northern California Regional Intelligence Center Digital Forensic Evidence Lab for further forensic review. Of those eight devices, four were found to contain evidence of child pornography.

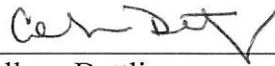
8. For example, on SMCSO evidence item number 12, Crucial 250GB hard disk drive, law enforcement saw one file known to be a video of sexually explicit conduct involving a minor. The file name was Clean_BD Play(8).AVI. The video depicted a girl, between the ages of nine and twelve years old. The girl is tied down on her back to a bed, she is blindfolded, and she has a metal device wedged in her mouth forcing her mouth to stay open. During the video she is tickled, whipped, and vaginally penetrated by a vibrator at the hand of an adult male.

IV. CONCLUSION

12. Based on the foregoing facts, my training and experience, and consultation with other law enforcement agents with experience in child exploitation investigations, I believe there

is probable cause to believe that on or about July 24, 2019, Richard Eugene Hartman violated 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) – Possession of Child Pornography

13. I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.



Colleen Dettling
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before
me this 26th day of February, 2020.



HON. JOSEPH C. SPERO
UNITED STATES CHIEF MAGISTRATE JUDGE